GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – AHDD&F Dept., – Allegations of misappropriation of government funds in MGNREGS against Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District - Common disciplinary proceedings were initiated under Rule 24 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Disciplinary proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Orders – Issued.

ANIMAL HUSBANDRY, DAIRY DEV. & FISHERIES (DY. & VIG.)DEPARTMENT

G.O.Rt.No. 259 **Dated:03.10.2024.**

Read the following:

1. From the Director of Animal Husbandry, AP., Vijayawada letter No. 214793/VC/G1/2023, Dt. 26.09.2023.
2. From the Collector & District Magistrate, Anakapalli, Letter No. AHF02-SCHOSPS(MGOK)/2/2023-DAHO-ANKP, Dt. 30.09.2024.
3. G.O Rt No.258, AHDD&F(Dy.&Vig.)Dept., Dt.03.10.2024.

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In continuation to the orders issued in the reference read 3rd read above, it is proposed to hold an enquiry against Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District on the allegations of misappropriation of government funds in MGNREGS, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CCA) Rules, 1991.

2. The statement of articles of charges and statement of imputations of misconduct and mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed Annexures I&II. A list of documents by which and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed in Annexures III & IV.

3. Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District is directed to submit his written statement of defence within 15 days from the date of receipt of this order.

4. Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District is informed that an inquiry will be held only in respect of those Articles of Charges which are not admitted. He should, therefore, specifically admit or deny each Article of charge.

5. Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

(P.T.O)

6. Attention of Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District is invited to Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that above said Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the G.O shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M M NAYAK
SECRETARY TO GOVERNMENT

To

Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District, **through the** Director of Animal Husbandry, AP, Vijayawada.

The Director of Animal Husbandry, AP, Vijayawada (with a request to serve the order & obtain the dated acknowledgement and furnish the same).

Copy to:

The Collector & District Magistrate, Anakapalli,
SF/SCs.(e-2227282)

//FORWARDED:: BY ORDER//

SECTION OFFICER

(Annexure to G.O Rt No.259, AHDD&F(Dy.&Vig.)Dept., Dt.03.10.2024.)

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST DR. G. VENKATA SWAMY, THE THEN DEPUTY DIRECTOR (AH), PADERU, DAHO, ASR DISTRICT

Article of Charges :-

CHARGE – 1:-

An amount of Rs. 5,39,33,980/- (Five Crores thirty nine lakhs thirty three thousand nine hundred & eighty only) is paid to M/S Sai Balaji enterprise instead of the beneficiaries for a total of 477 works.

Thus, Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District being responsible Officer alongwith two others, whose primary duty is to follow the instructions of the Government and to utilise the Government money for the purpose for which it is intended strictly in accordance to procedures prescribed prima-facie failed to maintain absolute integrity, discipline, impartiality and propriety and behaved in a manner unbecoming of Public Servant and detrimental to the interests of the Government in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

CHARGE- 2:-

An amount of Rs. 19,14,781/- (Ninety Lakhs fourteen thousand Seven hundred & eighty one only) is paid to M/S Sai Balaji enterprise for not started works.

Thus, Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District being responsible Officer alongwith two others, whose primary duty is to follow the instructions of the Government and to utilise the Government money for the purpose for which it is intended strictly in accordance to procedures prescribed prima-facie failed to maintain absolute integrity, discipline, impartiality and propriety and behaved in a manner unbecoming of Public Servant and detrimental to the interests of the Government in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

CHARGE- 3:-

An excess amount of Rs. 30,62,933/- (Thirty lakhs Sixty two thousand Nine hundred & Thirty three only) is paid (more than the amounts finalized by the Advisor, MGNREGS for fabrication work) to M/s Sai Balaji enterprise for 76 works even in the consent given cases.

(Conti…4)

A total amount of 5,89,11,694/- (Five Crores Eighty nine lakhs Eleven thousand Six hundred & Ninety four only) is paid to M/S Sai Balaji enterprise irregularly by DCC, Paderu.

Thus, Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District being responsible Officer, alongwith two others whose primary duty is to follow the instructions of the Government and to utilise the Government money for the purpose for which it is intended strictly in accordance to procedures prescribed prima-facie failed to maintain absolute integrity, discipline, impartiality and propriety and behaved in a manner unbecoming of Public Servant and detrimental to the interests of the Government in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964

CHARGE- 4:-

117 out 723 M-Books were not handed over to POs (MPDOs) from DCC, Paderu for continuing the works. Work wise files/Bills/FTOs were also not handed over. During the tenure of Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District. It was also evident that Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District and two others have not maintained FTO register, Work wise files, FTOs and they have not submitted required records including DSC key to the enquiry committee creating ambiguity about charge transfer, transfer of registers/work wise files/FTOs & DSC key

The following deviations are observed in M-Book Maintenance by DCC, Paderu -

a) No Signature of issuing officer.
b) M-book Not recorded properly. At many instances expenditure booked but not recorded.
c) No Check measurements were done.
d) No pass orders entered.
e) Signatures of beneficiaries were not taken.
f) Bills/Vouchers not enclosed in work wise files.
g) No signatures by the Technical Monitors/Technical Assistants who recorded the work.
h) Few of the M-Books are empty without any recordings.
i) In many cases, work wise files & FTOs are not found.

Thus, Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District alongwith two others being responsible Officer, whose primary duty is to follow the instructions of the Government and to utilise the Government money for the purpose for which it is intended strictly in accordance to procedures prescribed prima-facie failed to maintain absolute integrity, discipline, impartiality and propriety and behaved in a manner unbecoming of Public Servant and detrimental to the interests

(Conti…5)

of the Government in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

M M NAYAK
SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST DR. G. VENKATA SWAMY, THE THEN DEPUTY DIRECTOR (AH), PADERU, DAHO, ASR DISTRICT

To elicit the truth on the serious allegations raised in Spandana/JKC grievances regarding payment of amount made to 3rd party instead of actual beneficiaries who have constructed shed on their own, an enquiry committee with three officers viz., 1) E. Nagalakshmi, APO, M&E/DC/DRC, Anakapalli (chairperson), 2) M. Rojarani, Addl. PD, DWMA (member) and 3) Dr. Behara Prasada Rao, Dist. Animal Husbandry Officer (member) has been constituted.

Permission is accorded to M/s Sai Balaji Enterprises (supplier) for payment under approved patch in erstwhile Visakhapatnam District to complete fabrication works in Mini Gokulams. However, it is made clear that beneficiaries are at liberty to complete the construction of Mini Gokulam with or without supplier since the assets are belonging to the beneficiaries and the suppliers are directed to approach the respective Deputy Director (AH), I/c DCCs in order to hasten the process of completion of Mini Gokulam works.

Accordingly, after causing enquiry, the Enquiry Committee vide Lr. Roc. No. AHFO2-SCHOSPS(MGOK)/2/2023-DAHO-ANKP dated: 07-09-2023 has submitted it's report with the following findings.

1. On Verification of signatures taken in the delivery receipts submitted by M/s Sai Balaji enterprises: During enquiry, it is revealed that 115 no. of beneficiaries who have attended the enquiry have deposed that they have constructed sheds on their own and they have not given any willing to the M/s Sai Balaji enterprises for construction but their amounts were credited to M/s Sai Balaji enterprises as such they have approached Spandana grievance cell & JKC.
2. The amounts were settled and paid to few beneficiaries by the nodal officer & through NEFT by M/s Sai Balaji enterprises wherever issues raised aggressively by the beneficiaries.

(Conti..6)

3. During the social Audit (door to door verification) some beneficiaries alleged that their amounts were credited to M/s Sai Balaji enterprises instead of their accounts and when objections raised by the beneficiaries concerned Nodal officer has arranged acknowledgements from M/s Sai Balaji enterprises stating that FTOs were generated in the name of M/s Sai Balaji enterprises only and the amounts will be paid to the beneficiaries once the amount is released to the said enterprises.
4. The then MPDEAs and the then VAS have confirmed that 181 beneficiaries in Golugonda mandal, 151 beneficiaries in Makavarapalem mandal, 16 beneficiaries in Narsipatnam mandal, 79 beneficiaries in Cheedikada mandal, 15 beneficiaries in Rolugunta mandal, 113 beneficiaries in Madugula mandal and 93 beneficiaries in Kotauratla mandal have constructed their sheds by themselves only but the relevant amounts were not paid to them directly.
5. Status of M- Books, Work wise files, Registers & DSC key: Certain grave irregularities have been identified as detailed below:-
   a) no signatures of issuing officers b)M.Books not recorded properly c) No check measurement were done d) No pass orders entered e) signatures of the beneficiaries were not taken f) Bills/Vouchers are not enclosed in work files g) No signatures of Technical monitors/technical assistants who recorded the work h) Some M Books are found empty without any recordings i) In so many cases, work wise files & FTOs are not found.

   As per the MGNREGS Act without entry of measurements, Check measurements & Pass orders in M-Book, FTOs should not be generated and the custodian of the M-Book i.e., DCC, Paderu is responsible for the irregular payments done.

   Out of 723 M.Books, 117 (viz., Kotauratla (63), Makavarapalem (16), Narsipatnam (1), Golugonda (23), V. Madugula (14) were not handed over to the respective POs (MPDOs) from DCC, Paderu for continuing the works and the relevant Work wise files/Bills/FTOs were also not handed over.

6. As per the depositions of the officers and staff of DCC. Paderu (viz., (1)Dr. A Ravikumar, Assistant Director (AH), AVH Gopalapatnam, Visakhapatnam used to work as I/c DD, DCC, Paderu (23-11-2017 to 20-08-2019) (2) Dr. J Aswadhama Assistant Director (AH) (on leave since 25-04-2023), used to work as I/c DD, DCC, Paderu (20-08-2019 to 13-06-2021)(3)Dr. G Venkataswamy Deputy Director (AH), used to work as I/c DD, DCC, Paderu (13-06-2021 to 31-08-2023) (4)Dr. Ch Narasimhulu, Deputy Director (AH) I/c DD, DCC, Paderu (01-09-2023 to till today) (5) Dr. K Bhaskar, VAS Nodal

(Conti..7)

officer, DCC, Paderu (18-08-2019 to 01-01-2020) (6).Dr. G Priyanka, VAS Technical VAS, O/o DD Paderu (16-03-2020 to July 2022) (7) Dr. G Gowtham, VAS, Nodal officer, DCC, Paderu (01-01-2020 to till today) (8) Smt. S Madhavi Kalpana, Livestock Assistant, on deputation at DCC, Paderu (2017 to 2019) (9) Smt. Lavanaya, Data entry Operator, DCC, Paderu (August 2019 to 03-04-2022), it is revealed that the DSC key was mis-utilised during the tenure of the delinquent officers. The key couldn't be produced before the enquiry committee and key was not traced so far.

7. During enquiry, it is proved that the delinquent officers during their tenure that they have not maintained FTO register, Work wise files, FTOs and they have not submitted required records including DSC key to the enquiry committee creating ambiguity about charge transfer, transfer of registers/work wise files/FTOs & DSC key. Both the Deputy Directors have completely depended on the nodal officer and allowed outsiders also for execution of payments ignoring the MGNREGS Act. It shows clear irresponsibility & mere negligence towards discharging DCC duties.

8. After keen observation of all above factors it is proved that payments were credited to M/s Sai Balaji Enterprises instead of the beneficiaries who have constructed sheds on their own. Even in the case of 3rd party construction with the consent of beneficiary also it was evident that excess payments were done than the amounts finalized by the Advisor, MGNREGS for fabrication works. In few cases amount credited to M/s Sai Balaji Enterprises without any physical construction on the field.

   After keen observation of all above factors it was clearly evident that payments credited to M/s Sai Balaji Enterprises instead of the beneficiaries constructed sheds on their own. Even in the case of 3rd party construction with the consent of beneficiary also it was evident that excess payment done than the amounts finalized by the Advisor, MGNREGS for fabrication works. In few cases amount credited to M/s Sai Balaji Enterprises without any physical construction on the field.

   Mandals wise details of amounts paid to M/s Sai Balaji Enterprises pertaining to Mini Gokulam works.

(Conti..8)

Mandals wise details of amounts paid to M/s Sai Balaji Enterprises pertaining to Mini Gokulam works								
S.No	**Name of the Mandal**	**Total No of Works Sanctioned**	**Paid to M/S Sai Balaji enterprise instead to the beneficiaries**		**Paid to M/S Sai Balaji enterprise with consent of the beneficiaries but more than the amounts finalized by the Advisor, MGNREGS**		**Work Not started but Paid to M/S Sai Balaji enterprise**	
			No of Works	**Amount (in Rs.)**	**No of Works**	**Amount (in Rs.)**	**No of Works**	**Amount (in Rs.)**
1	Cheedikada	82	73	6643565	-	-	2	150580
2	V Madugula	113	111	8906535	-	-	1	64500
3	Golugonda	81	77	6316427	-	-	14	1326701
4	Narsipatnam	16	16	1661010	-	-	-	-
5	Ravikamatam	36	36	3357412	-	-	3	373000
6	Rolugunta	15	15	1554902	-	-	-	-
7	Makavarapalem	151	149	15558198	-	-	-	-
8	Kotauratla	276	111	9935931	76	3062933	-	-
	TOTAL	**770**	**588**	**53933980**	**76**	**3062933**	**20**	**1914781**

Thus, Dr. G. Venkata Swamy, the then Deputy Director (AH), Paderu, DAHO, ASR District by the above mentioned acts, exhibited lack of integrity, devotion to duty, conduct unbecoming of Government Servant in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, the charges.

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M M NAYAK
SECRETARY TO GOVERNMENT

A N N E X U R E – III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST DR. G. VENKATA SWAMY, THE THEN DEPUTY DIRECTOR (AH), PADERU, DAHO, ASR DISTRICT ARE PROPOSED TO BE SUSTAINED

1. Annexure I - Survey reports submitted by the presenting officers.
2. Annexure II – Observations made by the enquiry committee.
3. Duplicate invoices submitted by the beneficiaries for the shed constructed.
4. Bank statements of few beneficiaries showing NEFT by M/s Sai Balaji Enterprises.
5. Acknowledgements given by M/s Sai Balaji Enterprises for the FTOs generated in the name of the enterprise instead of beneficiaries.
6. Details M-Books availability with MCCs as certified by the APOs.

M M NAYAK
SECRETARY TO GOVERNMENT

A N N E X U R E- IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST DR. G. VENKATA SWAMY, THE THEN DEPUTY DIRECTOR (AH), PADERU, DAHO, ASR DISTRICT ARE PROPOSED TO BE SUSTAINED

1. The enquiry Committee constituted by the Collector & District Magistrate, Anakapalli.
2. Presenting officers of respective Mandals.
3. 115 no. of beneficiaries who have attended the enquiry & submitted written statements.
4. The then MPDEAs & the then Veterinary Assistant Surgeons in respective Mandals.
5. The then staff of DCC, Paderu.

M M NAYAK
SECRETARY TO GOVERNMENT